

1 MELINDA HAAG (CABN 132612)  
2 United States Attorney  
3 MIRANDA KANE (CABN 150630)  
4 Chief, Criminal Division  
5 MEREDITH J. EDWARDS (CABN 279301)  
6 Special Assistant United States Attorney

7 150 Almaden Boulevard, Suite 900  
8 San Jose, CA 95113  
9 Telephone: (408) 535-5061  
10 Fax: (408) 535-5066  
11 E-Mail: meredith.edwards@usdoj.gov

12 Attorneys for Plaintiff

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14 UNITED STATES DISTRICT COURT  
15 NORTHERN DISTRICT OF CALIFORNIA  
16 SAN JOSE DIVISION

17 UNITED STATES OF AMERICA, ) No. CR 12-00242 EJD  
18 Plaintiff, )  
19 v. )  
20 OSCAR NUNEZ-DENIZ, )  
21 Defendant. )  
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23 STIPULATION AND [PROPOSED]  
24 ORDER EXCLUDING TIME FROM  
25 AUGUST 6, 2012 TO AUGUST 20, 2012

26 **STIPULATION**

27 The defendant, OSCAR NUNEZ-DENIZ, represented by Assistant Federal Public  
28 Defender Cynthia Lie, and the government, represented by Special Assistant United States  
Attorney Meredith Edwards, hereby stipulate that, with the Court's approval, the status hearing  
currently set for Monday, August 6, 2012, at 1:30 p.m., shall be continued to Monday, August  
20, 2012, at 1:30 p.m. Additional discovery has been requested and, once received, defense  
counsel will need the additional time to review the materials and to conduct necessary

1 investigation. Therefore, the parties request that time be excluded under the Speedy Trial Act, 18  
2 U.S.C. § 3161(h)(7)(A) and (B)(iv), for effective preparation by defense counsel.

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4 Dated: July 27, 2012

5 /s/  
6 MEREDITH J. EDWARDS  
7 Special Assistant United States Attorney

8 Dated: July 27, 2012

9 /s/  
10 CYNTHIA LIE  
11 Assistant Federal Public Defender

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**[PROPOSED] ORDER**

Pursuant to agreement and stipulation of the parties, the Court HEREBY ORDERS that the time between August 6, 2012 and August 20, 2012 is excluded under the Speedy Trial Act, 18 U.S.C. § 3161. The Court finds, pursuant to 18 U.S.C. §§ 3161(h)(7)(A) and (B)(iv), that the failure to grant the requested continuance would unreasonably deny defense counsel reasonable time necessary for effective preparation, taking into account the exercise of due diligence. Furthermore, the Court finds that the ends of justice served by granting the requested continuance outweigh the best interest of the public and the defendant in a speedy trial. The Court therefore concludes that this exclusion of time should be made under 18 U.S.C. §§ 3161(h)(7)(A) and (B)(iv).

IT IS SO ORDERED.

DATED: 7/30/2012

  
THE HONORABLE EDWARD J. DAVILA  
United States District Judge